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9 IN THE UNITED STATES DISTRICT COURT

10 FOR THE NORTHERN DISTRICT OF CALIFORNIA

11 RICHARD SNYDER,

No C 03-4992 VRW

12 Plaintiff,

ORDER

13 v

14 DEPARTMENT OF DEFENSE et al.,

15 Defendants.

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17  
18 The special master appointed in this case, P Michael  
19 Robson, requests compensation for the work he performed in this  
20 case. Doc #149 (letter to the court). Robson's initial  
21 appointment came on April 22, 2005, when the court directed him to  
22 prepare his initial report. Doc #65. The court stated that his  
23 fee would be paid equally by both sides. Doc #65 at 3. Robson  
24 does not currently request compensation for that initial report.  
25

26 Instead, Robson seeks three sets of fees he incurred  
27 after he completed the initial report: (1) fees incurred after he  
28 was reappointed on September 18, 2006, through the completion of

1 his second report (27.75 hours - \$5550); (2) fees incurred after  
2 his appointment was extended on March 27, 2007, through the  
3 completion of his third report (21.25 hours - \$4250); and (3) fees  
4 incurred after he submitted his third report but before his  
5 appointment was revoked on October 12, 2007 (3.5 hours - \$700).  
6 The court concludes that defendant should pay (1), or \$5550, and  
7 that plaintiff and defendants should split (2) and (3) equally.

8                 The court previously determined that the government must  
9 pay (1). On August 9, 2006, the court stated that it would  
10 consider reappointing Robson, with his fees to be paid by the party  
11 responsible for the delay in this case. Doc #98. On September 18,  
12 2006, the court formally reappointed Robson and directed him to  
13 prepare a second report. Doc #101. On March 27, 2007, the court  
14 adopted the second report and found that the government was  
15 responsible for the delay in the case. Doc #109 at 10.

16                 Also on March 27, the court extended the appointment and  
17 directed Robson to prepare a third report, but the court did not  
18 state which party would pay for services incurred in preparing that  
19 third report. Doc #109 at 11. The court did not make any finding  
20 that defendants were responsible for any delay that occurred after  
21 March 27, 2007 and that occasioned the need for a third report.  
22 Furthermore, it is not apparent that one party or the other was  
23 more or less responsible for the need of Robson's services.  
24 Robson's (2) and (3) fees amount to \$2475 for each party ( $4950 \div 2$   
25 = 2475).

26                 //  
27                 //  
28                 //

1 Plaintiff is ORDERED to pay to P Michael Robson the sum  
2 of \$2475 for services performed as special master in this case, and  
3 defendants are ORDERED to pay \$8025. Payment shall be made by July  
4 31, 2008.

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6 IT IS SO ORDERED.

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VAUGHN R WALKER  
United States District Chief Judge